

SULLIVAN, MOUNTJOY, STAINBACK & MILLER PSC  
ATTORNEYS AT LAW

RECEIVED  
JAN 24 2014  
PUBLIC SERVICE  
COMMISSION

Ronald M. Sullivan  
Jesse T. Mountjoy  
Frank Stainback  
James M. Miller  
Michael A. Fiorella  
Allen W. Holbrook  
R. Michael Sullivan  
Bryan R. Reynolds\*  
Tyson A. Kamuf  
Mark W. Starnes  
C. Ellsworth Mountjoy

January 23, 2014

Mr. Jeff Derouen  
Executive Director  
Public Service Commission  
211 Sower Boulevard, P.O. Box 615  
Frankfort, Kentucky 40602-0615

\*Also Licensed in Indiana

**RE: *FILING OF SPECIAL CONTRACT PURSUANT TO 807 KAR 5:011,  
SECTION 13***

Dear Mr. Derouen:

Enclosed on behalf of Big Rivers Electric Corporation ("*Big Rivers*") and Kenergy Corp. ("*Kenergy*") pursuant to 807 KAR 5:011, Section 13 are an original and ten copies of a Load Curtailment Agreement dated as of January 21, 2014, by and among Big Rivers, Kenergy and Century Aluminum of Kentucky General Partnership ("*Century Hawesville*" and the "*LCA*", respectively). Big Rivers and Kenergy make this filing without waiving the objections they have made in Case No. 2013-00413<sup>1</sup> (the "*Century Sebree Case*") to the jurisdiction of the Public Service Commission ("*Commission*") over a similar load curtailment agreement filed with the application in that case.

The LCA is substantively identical to the Load Curtailment Agreement filed in the Century Sebree Case, except for the new "Effectiveness" section (Section 2.2) that was added to address the jurisdiction issue pending in the Century Sebree Case. But for your convenience and to identify all changes, we are also attaching eleven copies of the LCA redlined against the Load Curtailment Agreement from the Century Sebree Case.

Big Rivers and Kenergy ask that the Commission exercise its discretion pursuant to KRS 278.180(1) to shorten the statutory notice period from thirty days to twenty days. In support of this request, Big Rivers and Kenergy understand that Century Hawesville has been working diligently to complete its Special Protective System ("*SPS*") so that it can meet the Midcontinent Independent System Operator, Inc. ("*MISO*") requirements necessary to eliminate the need to operate the Coleman Generating Station and terminate the System Support Resource ("*SSR*") Agreement between Big Rivers and MISO. Big Rivers and Kenergy further understand from Century that the SPS is very near completion. The LCA must be in effect before the SSR Agreement will be terminated.

Telephone (270) 926-4000  
Telecopier (270) 683-6694

100 St. Ann Building  
PO Box 727  
Owensboro, Kentucky  
42302-0727

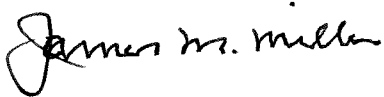
---

<sup>1</sup> *In the Matter of: The Joint Application of Kenergy Corp. and Big Rivers Electric Corporation for Approval of Contracts and for a Declaratory Order*, P.S.C. Case No. 2013-00413.

Mr. Jeff Derouen  
January 23, 2014  
Page 2

I certify that courtesy copies of this letter and attachment have this day been served electronically and by mail, postage prepaid, on the persons identified on the attached service list. Please call if you have any questions regarding this filing.

Sincerely yours,

A handwritten signature in black ink that reads "James M. Miller". The signature is written in a cursive style with a large initial "J" and a period at the end.

James M. Miller  
Counsel for Big Rivers Electric Corporation

Copies to:     Robert W. Berry  
                     Gregory J. Starheim

## Service List

Jennifer B. Hans  
Lawrence W. Cook  
Dennis G. Howard, II  
Assistant Attorneys General  
1024 Capital Center Dr.  
Suite 200  
Frankfort, KY 40601

Michael L. Kurtz, Esq.  
Kurt J. Boehm, Esq.  
Boehm, Kurtz & Lowry  
36 E. Seventh St., Suite 1510  
Cincinnati, Ohio 45202

Bernard F. Lovely, Jr.  
Bowles Rice LLP  
Suite 1700  
333 West Vine Street  
Lexington, KY 40507

Michael Early  
Corporate Energy Director  
Century Aluminum  
1300 SW Fifth Avenue, Suite 1750  
Portland, Oregon 97201

Robert A. Weishaar, Jr.  
McNees Wallace & Nurick LLC  
777 N. Capitol St., NE  
Suite 401  
Washington, DC 20002-4292

David Brown, Esq.  
Stites & Harbison, PLLC  
400 W. Market Street  
Suite 1800  
Louisville, KY 40202

G. Kelly Nuckols  
President and CEO  
Jackson Purchase Energy Corporation  
2900 Irvin Cobb Drive  
P.O. Box 4030  
Paducah, KY 42002-4030

Melissa D. Yates  
Denton & Keuler, LLP  
555 Jefferson Street  
Suite 301  
Paducah, KY 42001

Burns Mercer  
Meade County RECC  
1351 Hwy. 79  
P.O. Box 489  
Brandenburg, Kentucky 40108

Thomas C. Brite, Esq.  
Brite & Hopkins, PLLC  
83 Ballpark Road  
Hardinsburg, KY 40143

Gregory Starheim  
President & CEO  
Kenergy Corp.  
3111 Fairview Drive  
P.O. Box 1389  
Owensboro, KY 42302-1389

J. Christopher Hopgood, Esq.  
318 Second Street  
Henderson, Kentucky 42420